MAR 2 8 200IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

pplication of: T. WALLIMANN et al.

Application No.: 09/769,404

Filed: January 26, 2001

Group Art Unit: 1617

Examiner: Shengjun WANG

Attorney Docket No.: 8932-296

49.00

For:

METHODS OF TREATING BONE OR

CARTILAGE CONDITIONS BY THE ADMINISTRATION OF CREATINE

## RESPONSE TO

## **RESTRICTION REQUIREMENT**

**Box Non-Fee Amendment** 

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

In response to the Office Action dated March 1, 2002, Applicants respectfully request entry of the following remarks and amendments into the record of this application.

**IN THE CLAIMS** 

Please cancel claims 4-6 and 15-18.

## **REMARKS**

Claims 1-3, 7-14, and 19-24 are pending. In response to the Examiner's second restriction requirement, Applicants elect the invention of Group I, claims 1-3, 8-14, and 19-21, which are drawn to a method of affecting bone or cartilage growth. Applicants' understand this election to also include claims 7 and 22-24 to which claims the second restriction requirement was silent. Accordingly, claims 4-6 and 15-18 have been canceled without prejudice to Applicants' right to file one or more divisional applications directed toward the subject matter thereof.

This response is understood to be timely filed as the Office Action sets forth a one (1) month time for reply. Accordingly, no fee is believed to be due for the submission of this response. Should a fee for extension of time or a fee for other purposes be required, however, please charge such fees to Pennie & Edmonds deposit account no. 16-1150.

Respectfully submitted,

For/

Date March 28, 2002

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